

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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RAFAEL PAJO GUARQUEX <i>et al.</i> ,	:	
	:	
Plaintiffs,	:	20 Civ. 5533 (PAE)
	:	
-v-	:	<u>ORDER OF DISMISSAL</u>
	:	
240 BBJ PUB INC. <i>d/b/a</i> JACK DOYLE'S IRISH PUB	:	
<i>et al.</i> ,	:	
	:	
Defendants.	:	
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PAUL A. ENGELMAYER, District Judge:


On January 24, 2022, the Court issued an order to show cause why this action should not be dismissed for failure to prosecute under Federal Rule of Civil Procedure 41. Dkt. 56. On September 13, 2021, with discovery complete and mediation unsuccessful, Magistrate Judge Debra C. Freeman directed plaintiffs to consult this Court's Individual Practices regarding requirements for summary judgment motions or trial submissions. Dkt. 52. Since that time, no progress has been made on this case.

The Court's January 24, 2022 order to show cause advised that cause may be shown by properly filing a pre-motion letter, pursuant to the Court's Individual Practices, or filing a letter indicating that the plaintiffs wished to proceed to trial. Dkt. 56. On February 7, 2022, plaintiffs' counsel requested an extension of time. Dkt. 58. On February 7, 2022, the Court directed the plaintiffs, by March 7, 2022, to file a status update, a pre-motion letter, or a letter indicating that they wished to proceed to trial. Plaintiffs have not taken these steps or otherwise taken any action to make any progress in this case since the Court's order to show cause.

Accordingly, under Federal Rule of Civil Procedure 41(b) and the Court's inherent power, *see Link v. Wabash R.R. Co.*, 370 U.S. 626, 630–32 (1962), the Court hereby dismisses this case, without prejudice, for the plaintiff's failure to prosecute.

The Clerk of Court is respectfully directed to close this case.

SO ORDERED.



Paul A. Engelmayer
United States District Judge

Dated: March 31, 2022
New York, New York